

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE: BAIR HUGGER FORCED AIR
WARMING PRODUCT LIABILITY
LITIGATION

MDL No.: 15-md-02666 (JNE/DTS)

This Document Relates To:

SHELBY CONNELL,

Civil Action No.: 16-cv-02351

Plaintiff,

**DECLARATION OF ALFRED J. DANNER IN SUPPORT OF
PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO DISMISS**

I, Alfred J. Danner, declare as follows:

1. I am a probate attorney in Geneva County, Alabama, with offices at 308 E. Campbell Avenue, Geneva, Alabama 36340.
2. I was appointed as the Administrator of the Estate of Shelby Gene Connell on January 25, 2018 through issuance of Letters of Administration signed by Judge Fred Hamic of the Probate Court of Geneva County, Alabama. A true and correct copy of that document is attached hereto as Exhibit A.
3. I met all statutory requirements for appointment, including posting of the necessary bond.
4. At the time of my appointment on January 25, 2018, I was not aware of this pending products liability action, *Connell v. 3M Company et al.*, 16-cv-02351, involving the Bair Hugger patient warming device.

5. None of the documents which I reviewed relating to the estate indicated that Ms. Connell had filed a case against 3M Company or Arizant Healthcare, Inc.
6. As such, I had no knowledge that Kennedy Hodges, LLP was pursuing this claim at that time and had no reason to know their identity and therefore could not have reached out to them to provide them with information regarding the estate.
7. I did not learn of this pending products liability action or the identity of Kennedy Hodges as counsel in this matter until being contacted by Mr. Dax Eaton, son of Ms. Connell, on 10/1/18.
8. After learning of this pending action, I promptly contacted Kennedy Hodges and provided them with a copy of the Letters of Administration issued for the estate.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

December 13, 2018



Alfred J. Danner